

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALTAIR ENGINEERING, INC.,

Plaintiff,

Case No. 07-CV-13150
HON. GEORGE CARAM STEEH

vs.

LEDdynamics, Inc.,

Defendant.

_____ /

ORDER DENYING AS MOOT DEFENDANT'S MOTION TO STRIKE

On August 8, 2008, defendant LEDdynamics, Inc. filed a motion to exclude certain portions of the declaration of plaintiff Altair Engineering, Inc.'s expert Dr. Victor Roberts as well as portions of his deposition testimony. Specifically, LEDdynamics seeks to strike only those portions of Dr. Roberts' declaration and deposition testimony which relate to claim construction. On August 12, 2008, this Court entered its order deciding claim construction. In resolving the claim construction dispute, this Court did consider Dr. Roberts' declaration and deposition testimony and found that they were not persuasive. This Court ruled in favor of LEDdynamics on the claim construction dispute. Accordingly, LEDdynamics motion to strike portions of Dr. Robert's declaration and deposition testimony (Doc. 37) hereby is DENIED AS MOOT.

Dated: August 15, 2008

s/George Caram Steeh

GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on August 15, 2008, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk